

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
SW/S Sue Creek Drive, 956 * ZONING COMMISSIONER
1959 Sue Creek Drive * OF BALTIMORE COUNTY
15th Election District * Case No. 92-138-A
5th Councilmanic District *
David S. Sharpless, III, et ux *
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 5 ft., in lieu of the required 10 ft., and to amend the Final Development Plan of Sue Creek Landing, Plat 2 Lot 40, all as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners, David S. Sharpless III and Deborah E. Sharpless, his wife, appeared and testified. Appearing and testifying in opposition was J. Barry Karwacki and Stacy Karwacki, who reside immediately next door to the Petitioners and the subject property.

The Petitioners testified that they are the owners/residents of that property known as 1959 Sue Creek Drive. The property is improved with a 1-1/2 story framed dwelling. The Petitioners' lot is .131 acres +/- and is zoned D.R.5.5. The Petitioners further testified that they desire to add a shed to the property to allow for the storage of their lawn mower, garden equipment and other lawn and garden tools. They have no storage area available to them for these items other than their dwelling and they do not wish to store these dangerous materials within the dwelling because of their small child. They further testified that the restrictive covenants of their community association prohibit any free standing structure.

Thus, any shed must be attached to the house. The testimony was that the proposed location was the only place in which the shed can be constructed. That is, the other side of the house and the rear of the structure are not compatible to the proposed construction.

Appearing in opposition, as indicated above, were Mr. and Mrs. Karwacki, the immediate next door neighbors. They testified that they oppose the construction of the shed for several reasons. Specifically, they are concerned that same will not be compatible to the existing architecture and, therefore, the shed would detrimentally affect property values and the architectural ambience of the area. Also, they note that there is a natural swale between the properties which allows water runoff from the dwellings. Construction, as proposed, would interfere with this swale and could cause increased water runoff and flooding. Further, they note the already narrow distance between the dwellings and argue that same should not be narrowed further.

The case is a difficult one for decision. I am sympathetic to the Petitioners' request and their reasons which they have set forth in support of the petition. On the other hand, the concerns of the Protestants are legitimate.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxa-

tion than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

In reviewing the evidence, there is insufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance was denied. The testimony presented by the Petitioners were in support of a matter of a preference rather than of the necessity for the variance. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of Dec., 1991 that a variance from Section 1802.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 5 ft. in lieu of the required 10 ft., and to amend the Final Development Plan of Sue Creek Landing, Plat 2 Lot 40, be and is hereby DENIED.

LES/mm

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1802.3.C of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 5 feet in lieu of the required 12 feet setback, and to amend the Final Development Plan of Sue Creek Landing, Plat 2, Lot 40 for the following reasons:

1. Under the proposed variance, the property owner states that no structure shall be permitted within the setback area and that the property owner is not willing to store lawn mower, garden equipment, or other lawn and garden tools within the setback area.

2. Due to drainage, the property owner is unable to store lawn mower, garden equipment, or other lawn and garden tools within the setback area.

3. The property owner is unable to store lawn mower, garden equipment, or other lawn and garden tools within the setback area.

I, or we, agree to pay expenses of the above variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City/State/Zip Code
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City/State/Zip Code
Attorney's telephone number

Legal Owner(s):
David S. Sharpless III
Deborah E. Sharpless
Signature
Address
City/State/Zip Code

1959 Sue Creek Drive 579-0243
Baltimore Maryland 21221
City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.
Name
Address
City/State/Zip Code

ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of Dec., 1991, that the subject matter of this petition be posted on the property on or before the 12th day of Dec., 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 109, County Office Building in Towson, Baltimore County.



REVIEWED BY: JJS DATE: 9/27/91

ZONING COMMISSIONER OF BALTIMORE COUNTY

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

92-138-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1959 Sue Creek Drive
Baltimore Maryland 21221
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

1. Under the proposed variance, the property owner states that no structure shall be permitted within the setback area and that the property owner is not willing to store lawn mower, garden equipment, or other lawn and garden tools within the setback area.

2. Due to drainage, the property owner is unable to store lawn mower, garden equipment, or other lawn and garden tools within the setback area.

3. The property owner is unable to store lawn mower, garden equipment, or other lawn and garden tools within the setback area.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Affiant (Handwritten Signature)
David S. Sharpless III
AFFIANT (Printed Name)

Affiant (Handwritten Signature)
Deborah E. Sharpless
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20th day of Dec., 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

DATE
NOTARY PUBLIC
My Commission Expires: 11/1/91

Beginning at a point on the west side of

1959 Sue Creek Drive
Baltimore, Maryland 21221
92-138-A

Sue Creek Drive which is 50 feet wide at the distance of 950 feet south of the centerline of the nearest improved intersecting street named Turkey Point Road which is 50 feet wide. Being Lot #40, Block - Section - in the subdivision of Sue Creek Landing as recorded in Baltimore County Plat Book # E-14.1c, Jr. No 48, Folio #7 containing 5700 sq feet or .131 acreage. Also known as 1959 Sue Creek Drive and located in the 15th election district.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 11/17/91
Posted for: 14 days
Petitioner: David S. Sharpless III
Location of property: 1959 Sue Creek Drive, 92-138-A
Location of Sign: 1959 Sue Creek Drive, 92-138-A
Remarks: See attached plat
Posted by: David S. Sharpless III
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., Nov. 7, 1991
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 7, 1991.

THE JEFFERSONIAN,

S. Zake Orlan

Publisher

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed variance at the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 on the following:
Case Number: 92-138-A
Date: Tuesday, November 20, 1991 at 11:00 a.m.
Petitioner: David S. Sharpless, III
Address: 1959 Sue Creek Drive, 92-138-A
Posting Date: Tuesday, November 20, 1991 at 11:00 a.m.
Verification: To permit a side yard setback of 5 feet in lieu of the required 12 feet setback, and to amend the Final Development Plan of Sue Creek Landing, Plat 2, Lot 40, as shown on the attached plat.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 9/27/91

Posted for: David S. Sharpless, III et al.

Petitioner: David S. Sharpless, III et al.

Location of property: SW/S Sue Creek Drive, 956' SE of Turkey Point Road, 1959 Sue Creek Drive

Location of Sign: Posting on Sue Creek Drive across 30 ft. R. of way, on property of Baltimore County

Remarks:

Posted by: Lawrence E. Schmidt Date of return: check

Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: 9-27-91

Account: R-001-6150
Number

CRITICAL AREA
Item 152

Residential Variance - Administrative
1959 Sue Creek DR.
David & Deborah Sharpless

Filing fee - \$35.00
sign - 25.00
Total \$60.00

Cashier Validation: BA 00110034M09-27-91 \$60.00
Please Make Checks Payable To: Baltimore County

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: 9-27-91

Account: R-001-6150
Number

CRITICAL AREA
Item 152

Cashier Validation: BA 00110034M09-27-91 \$60.00
Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 9-27-91

David and Debra Sharpless, III
1959 Sue Creek Drive
Baltimore, Maryland 21221

RE:
Case Number: 92-138-A
SW/S Sue Creek Drive, 956' SE of Turkey Point Road
1959 Sue Creek Drive
15th Election District - 5th Councilmanic
Petitioner(s): David S. Sharpless, III, et al
HEARING: TUESDAY, NOVEMBER 26, 1991 at 11:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 60.00 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Lawrence E. Schmidt
Lawrence E. Schmidt
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

CERTIFICATE OF PUBLICATION
Office of
THE AVENUE NEWS

442 Eastern Bvd.
Baltimore, MD 21222

November 7, 1991

THIS IS TO CERTIFY, that the annexed advertisement of:
Sharpless in the matter of Zoning Hearing of
1959 Sue Creek Dr. Case # 92-138-A, P.O. #0116190
Req #M54848, 56 lines @.60 or \$33.60

was inserted in **The Avenue News** a weekly newspaper published in
Baltimore County, Maryland once a week for 1 successive week(s)
before the 8 day of November 1991, that is to say, the
same was inserted in the issues of November 7 1991.

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Case Number: 92-138-A
SW/S Sue Creek Drive, 956' SE of Turkey Point Road
1959 Sue Creek Drive
15th Election District - 5th Councilmanic
Petitioner(s): David S. Sharpless, III, et al
HEARING: TUESDAY, NOVEMBER 26, 1991 at 11:00 A.M.
Variance to permit a side yard of 5 feet in lieu of the required 12 foot setback and to amend the Final Development Plan of Sue Creek Landing, Plat 2, Lot 40 for same.
Lawrence E. Schmidt
Zoning Commissioner
of Baltimore County

The Avenue Inc.
per publisher
By David Caldwell

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: 9-27-91

Account: R-001-6150
Number

CRITICAL AREA
Item 152

Paid new hand
written receipt
dated 9/27/91

Cashier Validation: BA 00110034M09-27-91 \$60.00
Please Make Checks Payable To: Baltimore County

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: 9-27-91

Account: R-001-6150
Number

CRITICAL AREA
Item 152

Cashier Validation: BA 00110034M09-27-91 \$60.00
Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

OCTOBER 28, 1991

NOTICE OF HEARING

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Case Number: 92-138-A
SW/S Sue Creek Drive, 956' SE of Turkey Point Road
1959 Sue Creek Drive
15th Election District - 5th Councilmanic
Petitioner(s): David S. Sharpless, III, et al
HEARING: TUESDAY, NOVEMBER 26, 1991 at 11:00 a.m.

Variance to permit a side yard of 5 feet in lieu of the required 12 foot setback and to amend the Final Development Plan of Sue Creek Landing, Plat 2, Lot 40 for same.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County

cc: Mr. & Mrs. Sharpless
Mr. & Mrs. Karwacki

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

October 21, 1991

Mr. & Mrs. David S. Sharpless, III
1959 Sue Creek Drive
Baltimore, MD 21221

RE: Item No. 152, Case No. 92-138-A
Petitioner: David S. Sharpless, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Sharpless:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

October 21, 1991

Mr. & Mrs. David S. Sharpless, III
1959 Sue Creek Drive
Baltimore, MD 21221

RE: Item No. 152, Case No. 92-138-A
Petitioner: David S. Sharpless, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Sharpless:

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111 West Chesapeake Avenue
Towson, MD 21204

887-3353

October 21, 1991

Mr. & Mrs. David S. Sharpless, III
1959 Sue Creek Drive
Baltimore, MD 21221

RE: Item No. 152, Case No. 92-138-A
Petitioner: David S. Sharpless, et ux
Petition for Residential Variance

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Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: October 11, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Shaplass Property, Item No. 152

In reference to the Petitioner's request, staff offers the following comments:

Should the petitioner's request be granted, this office recommends that the materials used to construct the addition be compatible with the existing architectural design of the homes in the immediate vicinity.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat
NCSHELL/TXTROZ

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili
Traffic Engineer II

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: October 8, 1991

This office has no comments for item numbers 144, 145, 147, 149, 150, 151, 152, 157 and 158.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RWF/lvd

Baltimore County Government
Fire Department

700 East Poplar Road, Suite 901
Towson, MD 21204-5500

OCTOBER 18, 1991

(301) 887-4500

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration and
Development Management
Baltimore County Office Building
Covington, IL 61560

FROM: Robert W. Bowling, P.E.
Zoning Advisory Committee Meeting
for October 8, 1991

Subject:

Re: In your report, the referenced property has been surveyed by this Bureau and the contents below are applicable and should be included or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Robert W. Bowling
Robert W. Bowling, P.E.
Fire Prevention Bureau

10/18/91

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: October 18, 1991

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for October 8, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 142, 144, 149, 150, 151, 152, 153, 157, and 158.

For Item 145, a minor subdivision is processing now. Our comments will be addressed through that process.

For Item 146, see the County Review Group comments dated August 12, 1991 for this site.

For Item 148, we have no comment on the garage height variance. However, regarding the swimming pool, the road grade or horizontal alignment must be revised so that no retaining wall is needed or that the wall is far enough away from the right-of-way such that failure would not impact the right-of-way.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

DATE: November 12, 1991

FROM: J. James Dieter, Director

SUBJECT: Petition for Zoning Variance - Item 152
Sharpless Property
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 1959 Sue Creek Drive. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Mr. and Mrs. David Sharpless

APPLICANT PROPOSAL

The applicant has requested a variance from section 1802.3.B of the Baltimore County Zoning Regulations to permit "a side yard setback of five feet in lieu of the required 12 foot setback".

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." (COMAR 14.15.10.01.0)

Memo to Mr. Arnold Jablon
November 12, 1991
Page 2

REGULATIONS AND FINDINGS

1. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" (Baltimore County Code Sec. 22-213(a)).

Finding: This property is located approximately 500 feet from the tidal waters of Sue Creek. No disturbance of the shoreline buffer shall occur.

2. Regulation: "No dredging, filling, or construction in any wetland shall be permitted. Any wetland must be adequately protected from contamination" (Baltimore County Code Sec. 22-98).

Finding: No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site.

3. Regulation: "New development and redevelopment within the IDA shall use Best Management Practices or other technology which reduces pollutant loadings by 10% of the on-site level prior to new development or redevelopment." (Baltimore County Code Sec. 22-216)

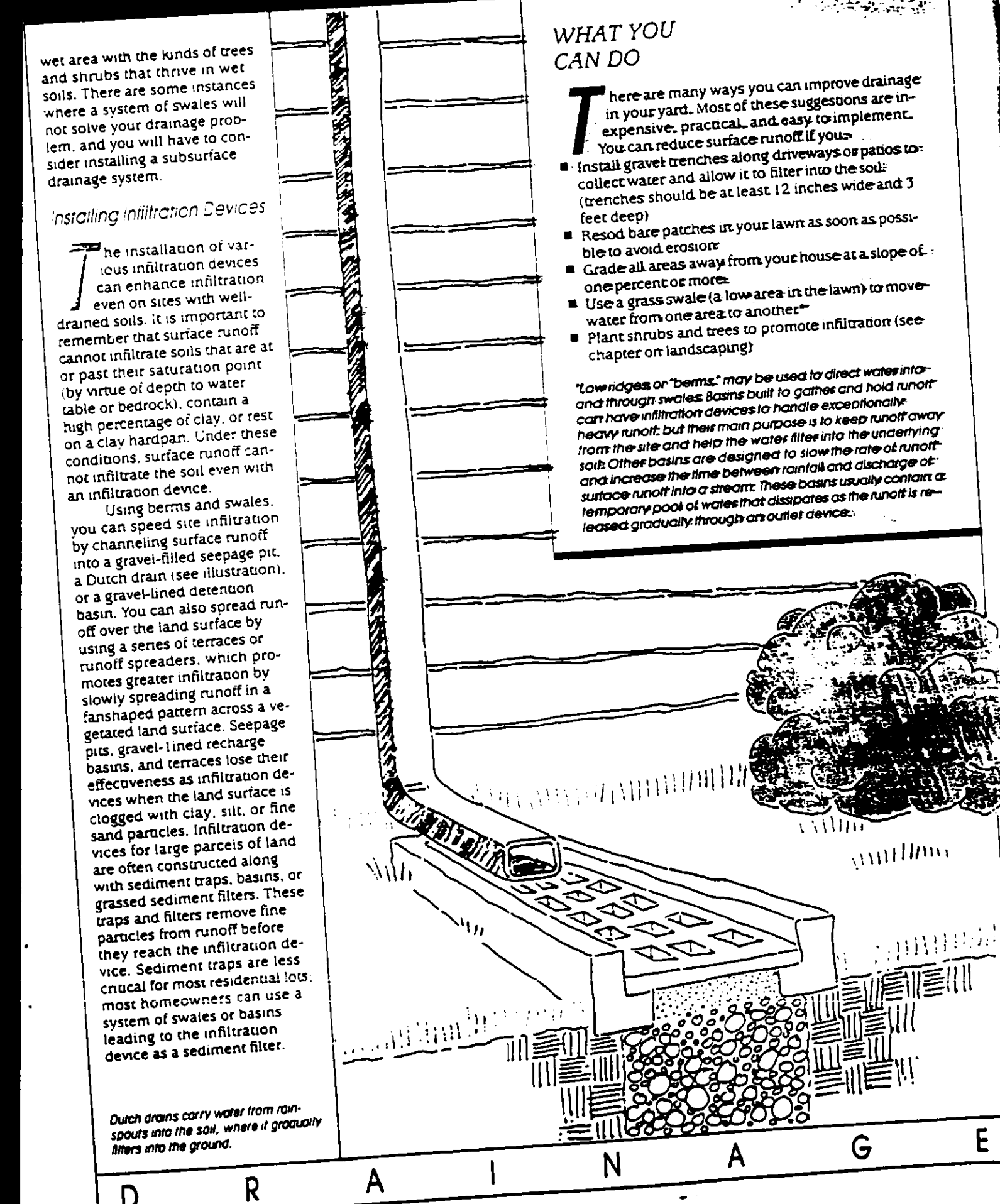
Finding: In order to comply with the above regulation rooftop runoff shall be directed through downspouts and into Dutch drains or seepage pits (see attached information). This will encourage maximum infiltration of stormwater and will bring this property into compliance with the 10% rule. Infiltration of stormwater is a recommended Best Management Practice in a "Framework for Evaluating Compliance with the 10% Rule in the Chesapeake Bay Critical Area".

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above. This proposal does comply with Chesapeake Bay Critical Area Regulations, and is therefore approved. If there are any questions, please contact Mr. David C. Flowers at 887-2904.

JJD:NS:ju
Attachment
SHARPLES/TXTNXX

J. James Dieter
J. James Dieter, Director



111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

October 25, 1991

David and Debra Sharpless, III
1959 Sue Creek Drive
Baltimore, MD 21221

Re: CASE NUMBER: 92-138-A

Dear Petitioners:

A formal REQUEST FOR PUBLIC HEARING has been filed in your case.

As you recall, this matter must now go through the regular hearing process; the property must be reported and notice of the hearing will be placed in two local newspapers. You will be billed for these advertising costs.

Formal notification of the hearing date will be forwarded to you shortly.

Very truly yours,

Zoning Commissioner
Baltimore County, Maryland

